7: Joest--56 E-5 (no date) 1882 Formosan Aborigines
643

Being thus alone among 200,000 Chinese gave me an opportunity to study their way of life, and to observe the activities of the independent Tautai, who almost every day ordered people to be flogged, tortured, or beheaded and who often let his victims die of starvation.

16: Müller--229 [7] U-3 (no date) 1910 Formosan Aborigines
116, 361, 592, 619, 643

The aborigines of Formosa are a settled people and live in communities. The Atai-yal tribe is organized on the basis of nuclear families, the Vonum, Tso'o, Pyuma, and Amis tribes on the basis of composite families. Each tribe has a chief as its head. There are some tribes and federations of tribes which have two head chiefs.

16: Müller--229-230 U-3 (no date) 1910 Formosan Aborigines
116, 643

The office of the chieftain of the tribe or federation is either hereditary or based on election. Sometimes his power is absolute, [230] sometimes he must have the consent of the tribal elders in all the more important decisions that concern the tribe.

19: Guérin and Bernard--563 [3] G-3 (ca. 1866) 1868 Formosan Aborigines
116, 622, 643

The tribe does not have any high chief. The hamlet has a magistrature which is both hereditary and elective (the son does not replace his father unless he is judged worthy of it). The magistrate's power and influence are based entirely upon his wealth and courage.

22: Wiedfeldt--16 F-5 (1913) 1914 Formosan Aborigines
643 Atayal

They [MC: the fish caught] are divided into as many piles as the number of clans represented, in which process the chief of the tribe sees that justice is observed.

22: Wiedfeldt--27 F-5 (1913) 1914 Formosan Aborigines
116, 643, 177.64 Japanese
636.64

The tribe has the same organs as the clan. The designation applied to the chief, maraho, or moruhuk, means venerable old man, also leader of the army. The Japanese Governor-General is called by the Atayals the maraho of the Japanese. The chief is by no means the richest member of the tribe, and he lives in a hut just like the other members of the tribe. His title is hereditary, as it is in the clan, but a tribal chief is never also a clan chief. This office is said to have been held by the family of the present chief of the Schimptonoff [MC: an Atayal tribe] from the beginning of the tribe. At any rate, their position has not been disputed. Partly from lack of knowledge and partly for political reasons, the Japanese have often appointed Atayals who were friendly to them as chiefs, but their appointees have never been able to obtain any influence or to be successful.

22: Wiedfeldt--27 [2] F-5 (1913) 1914 Formosan Aborigines
116, 643, 701 Atayal

If a man brings back a great many enemy skulls from a war, he is sometimes called a boku-maraho, an honorary chief, and he has the right to be the first to express his opinion in the tribal assembly, after the maraho. From this one might assume that the present family acquired the chieftaincy because of the special prowess of one of their ancestors in battle. Occasionally the tribal chief resigns his title in favor of a successor whom he has appointed, for example, if a war is imminent, or if major hostilities have broken out between several clans. Like the old German duke, the maraho is, as his name indicates, primarily a leader in battle. He prepares the ground for the fight, he chooses the positions, he arranges the units, and he is himself the leader in the fighting. As Clausewitz has said, war is only the continuation of politics, using other means, and thus the maraho is also the political leader of his tribe. He carries on negotiations with the Japanese and with the other "savage" peoples, and with other Atayal tribes. By means of his prestige, he protects their embassadors against over-zealous members of the tribe by keeping them always close to him. In making plans for the wars, and especially in political negotiations, he can not act independently, but his power is limited. If things take an unexpected turn in the negotiations, he must obtain new authority.

22: Wiedfeldt--28 F-5 (1913) 1914 Formosan Aborigines
116, 527, 643 Atayal

The two great millet festivals, in which the tribal chief is the leader, also serve to maintain political solidarity and to foster a harmonious attitude in the tribe.

22: Wiedfeldt--28 [2] F-5 (1913) 1914 Formosan Aborigines
116, 643, 619, 692, 648 Atayal

The person who is the political representative and the military leader also has sufficient prestige to handle legal business. If it is a question of matters which concern individuals of the same clan, the clan chief is capable of dealing with them, but if members of different clans are involved, the tribal chief handles them. There is no difference between them, except the one that has just been mentioned, as to the type of matters that they handle. The procedure is the same also. If members of different tribes are involved, there is no legal procedure, if this expression is permissible, for there is no institution in their society which is superior to the tribe, and which could decide which one was right. The matter either is left unsettled, or force of arms determines who is in the right.

22: Wiedfeldt--32 [2] F-5 (1913) 1914 Formosan Aborigines
116, 643, 646, 721 Atayal

The negotiations [MC: carried on in an Atayal tribal assembly called koto-kumai-roh] concern political and military affairs. The koto-kumai-roh makes the decisions and confers upon the tribal chief the necessary powers, according to which he acts. The assembly has nothing to do with his judicial powers. Nevertheless, the assembly takes this opportunity to question the clan heads concerned in any infraction of the law that has taken place, and on their confession, a penalty is imposed or a skull hunt is ordered. Decisions are for the most part made unanimously. Otherwise, voting is by rising from the squatting position. A simple majority decides, and the vote of the tribal chief is used to break a tie. In general, a minority is bound by the decision. In the tribes of the interior, which have not yet had any fights with the Japanese, only those clans are said to take part in a fight whose heads have voted for it, while the other clans remain at home, but are not permitted to give aid to the enemy.

22: Wiedfeldt--44-45 F-5 (1913) 1914 Formosan Aborigines
116, 643, 671, 692 Atayal

Finally, some traces of formal legal procedure may also be detected, although there is no training in the law nor even a special legal profession as such. In cases of civil law, the chief of the tribe is not really the authority who has the deciding word on the legal aspect of the case. He merely collects the evidence, and from the results of this, the decision is clear to everyone, and the deductions to be made are self-evident, for everyone is well acquainted with the legal usages. In criminal law, the chief of the tribe has considerably more power, because the community has a real interest in not permitting a crime, for example, adultery, to go unpunished through the complaisance of the husband. Nor do they wish the murder of a child to go unavenged by the head of a family, because the murderer was a more powerful neighbor, and they are anxious to prevent the irascible victim of a thief from taking the law into his own hands and thus committing a new and unjustifiable crime. As representatives of the community in such cases the two most highly respected [45] men are naturally called to serve. At the same time, if it is necessary, they pass on the possibility of carrying out the sentence. Their jurisdiction is simply and clearly limited according to whether members of the same clan, or members of different clans are involved in the case. Where there is no such spokesman, there is no course of law, so that among the Atayals all of their legal activity has continued to be limited to the individual tribe.

22: Wiedfeldt--47 [3] F-5 (1913) 1914 Formosan Aborigines
116, 174, 619, 643 Atayal

Judging from the name and the powers of the chief, the tribe may have originated from the fact that several clans gathered about a skillful and successful military leader.... [MC: National] states in general have originated by force and conquest under a powerful leader, who then took upon himself the obligation to perform valuable services, such as defence against outside forces and the exercise of justice in domestic life. Such a development by the use of force did not take place among the Atayals.

Even more than the family needs a head do the populous institutions of the clan and the tribe need a head to direct them and act for them, for a large number of persons can only act through a representative. In addition, they also need, since they include many people, a body which will express and put into effect the will of the community. Since the dekan [MC: hunting association composed of several clans] lacks both bodies, it is not a social organism, but only a start in that direction. In the clan, this inclusive assembly consists of the heads of all the families, and the bachelors who have been tattooed. In the tribe, it consists of the clan heads and the honorary chiefs. The modern method of selecting the most suitable persons to represent the rest of the population by some kind of electoral procedure is unknown to the Atayals, even in the tribe, where it would be possible. Just as the head of the family represents the family in the clan, [50] so the hereditary heads of the clans are the natural representatives of the members of their clans in the tribal assembly. All the representatives to the assemblies have equal rights. Anyone who is absent is not counted, not even as a negative vote... This would be unnecessary anyway, for among the Atayals, everyone appears. The full assemblies have the authority to make decisions, and they pass on all matters of a general nature. The will of the totality is recognized by the mechanical means of a simple majority. If there is a tie between two opinions, the chief has the decisive voice.

If a resolution is passed, the chief is empowered and obligated to put it into effect, for example, a clan head may be authorized to buy a certain piece of land at a set price,

or a tribal chief may be authorized to carry on negotiations with the Japanese concerning the changes in the Aiyu line. The not unfamiliar contrast between representative and constituent has been rendered impossible among the Atayals by restricting the representative to limited powers. The clan assembly can hold the hereditary head of the clan responsible for voting as it desires in the tribal assembly, for as a rule the clan assembly precedes, and it does so. The corporate body does not relinquish its exclusive right to make decisions even under unfavorable circumstances.

22: Wiedfeldt--50-51 F-5 (1913) 1914 Formosan Aborigines
116, 622, 643, 648 Atayal

After an unsuccessful [MC: diplomatic] battle against the Japanese, the chief of the tribe was forced to break off the negotiations, as soon as circumstances arose which had not been foreseen when his powers were conferred upon him, and had to go back and question his tribal assembly anew, to the annoyance of the Japanese. In view of the fact that they are closely bound to observe the decisions of the full assembly, neither the head of the clan nor the chief of the tribe in particular becomes a real leader and authority, for example, in the protection of foreign envoys. They would not be able to develop any initiative if their position were not assured of a certain independence from another source. They are not chosen by election, and hence they are free from any influence from the side of the assembly or the members of the tribe. Both have inherited their positions as representatives from their forebears, chiefly from their fathers, who selected the most suitable successor on the basis of their long experience and their judgment, without any help from the body corporate. Just [51] as they enter upon their office at the death or retirement of their predecessor, without any particular ceremony, so the termination of their careers as representatives depends entirely on their own wishes. The chief of a tribe retires from his somewhat honorary position when he thinks that he can no longer perform important functions. . .

22: Wiedfeldt--52[2] F-5 (1913) 1914 Formosan Aborigines
116, 622, 623, 643, 646 Atayal

The Atayals possess, in addition to the family, two higher grades of social organizations [MC: ie. the clan and the tribe] with a clearly defined and suitable distribution of functions to both institutions. Each one of them has the two indispensable spokesmen: the assembly of the whole and the head, between whom the powers have up to now been adequately divided.

49: Wei E-5 (1955) 1955 AD1 Formosa
Formosan Aborigines AD4
Paiwan

582 565 556 583 class. A man of the lower class must pay as much as or more than that of a upper class member if he wants to marry one above himself. The lower class member does not marry one above him because he can not afford to do so.

C. Incest prohibition

601 835 The kindred group of the Paiwan is bilateral. The present writer has assigned it as occasional bi-sexual lineage. No emphasis upon either the paternal or the maternal consanguinities is made. No distinction between lineal and collateral is made in addressed terms, but it is made in indirect and collective terms. Those who have the same parents are called *malwlwŋuluŋa*, those who have the same grand parents, *malusiatsətsəl*, those have the same grand-grand parents, *malusiatsalaitaita*, and those have the same grand-grand-grand parents, *malusiapatsətsəv*. *malusiatsəlsəl* are prohibited to marry. *malusiatsalaitsata* are also called *naŋaʾaŋa putsəl*, they are allowed to marry. *malusiapatsetsev* are also called *naŋaʾaŋa lavatsə putsəl*, they are the most prefered mates. Relative beyond the *malusiapatsətsəv* are called *aolav*. *aolav* are allowed to marry with each other, but they are not as preferable as the *malusiapatsətsəv*, and even the *malusiatsalaitaita*. It is noteworthy that these marriage prohibitions are not to supplement the rule of exogamy but serve as the limitations of the rule of endogamy.

TRIBAL CHIEFTAINSHIP

643 The tribal chieftainship of Chala'abus village differs with the dual chieftainship of the North-Paiwan, and may be regarded as a kind of mutual independence of the three powers: political, religious, and military. The political and economic powers are in the hands of the Chimo chiefs. The religious powers are equally distributed over the chiefs of both the Chimo and the Paiwan. The nomination of a *paraʾara* or priest is determined by a kind of divination called *paiwata*. The military powers fall in hands of the commoners. The office of the priest of the headhunting ritual (*paraʾare na ara*) is held hereditary by the *tsivulaŋaŋ* household of commoner. The tribal chiefs and their offices are listed as follows:

A. Political and economic chiefs:

a) *avusamaŋ* (big chief)·····*ruwaniau*
malwtsivtsih (consanguineous chiefs)·····*tsaluŋi*, *tfalas* (south), *tfalas* (north)
naitsu anumax (affinal chiefs)·····*lusiguaŋ, atsinajaŋ, alijulaŋ, taraʾatea, gumul, matsiliat, voto, tfalusaŋiu.*

b) *pinairaratsə* (representatives of the big chief of other villages)·····
tfalas (north) a representative of the *tsulivuaŋ*, the big chief of Kunanao village.
tavalaŋ a representative of the *karaŋiraŋ*, the big chief of Kulalus village.

c) *utsiputsipaŋ* (vassals of the chiefs)·····*ruwaniau, tsapalai, tavalaŋ, suajoŋ,*

49: Wei E-5 (1955) 1955 AD1 Formosa
Formosan Aborigines AD4
Paiwan

tsuvulavay, lusaliay, suli'i, laluriay. 643

d) *sasaolay* (servants of the *avusamay* household)·····
·····two households of commoner, they are not hereditary.

B. Religious chiefs:

a) *para'are a malava* (a priest of the five-years-feast)·····
·····*atsinajay* (Paiwan)
para'are a pusav (priest of the six-years-feast and priest of agricultural rituals)·····*tsivuluvay giligilao* (Chimo)
para'are na ara (priest of head-hunting ceremony)·····
·····*tsipulayay* (Chimo)

b) *paraiyay* (priest of the hunting grounds, one for each ground)·····determined by divination

c) *puliyao* (priestess)·····two Paiwan, two Chimo.

C. Military chiefs:

rara'atsay (chivalry chief)·····*tsavalit*

rara'atsay tsalala (lesser chivelry chiefs)·····number of person are not fixed, promoted by military achievements.

D. Tribal councils:

a) *malaval a maluvtsivtsik*—Members of *malaval a maluvtsivtsik*, the administrative council or aristocratic council consist of all aristocratic household-heads. *utsiputsipoy*, vassals of the chiefs may attain the council but they have no voice in the council. The administative council is headed by the big chief *ruvanian.* 623

b) *malaval tsalala'alay*—The villagers' meeting consists of all household-heads of the village. It is also assembled by the big chief *ruvanian.*

c) *malaval ta palisilisiay*—Ritual day assembly it is assembled by the big chief *ruvanian*, but *para'are*, the priest is the chief speaker.

d) *malaval na rara'atsay* or chavalry meeting—The meeting is held everynight. In occasions of head-hunting expedition or war, it is assembled and headed by *rara'atsay.*

FEUDALISM AND TRIBUTARY SYSTEM

A. Feudalism

The feudalism of Chala'abus village which resembles that of the ancient Chinese system is called *moli-umax.* The representative of a feudal lord is called *pinairaratsa.* 631 621 The big chief *ruvanian* had nine (possibly more than nine) *atumayay* or dominions in other villages. They are shown as follows:

atumayay village		*pinairaratsa* household	
pailus	"	*tsumatsiay*	"
vuyalit	"	*taluvuyay*	"
butsuynok	"	*tsaododo*	"
tsuvutsa'atay	"	*tsulimodo*	"